

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Javier Rodriguez Tijerina

Case Number: 2:08CR02135-EFS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: May 6, 2009

Original Offense: Possession of Firearm by Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 60 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: July 5, 2013

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: July 4, 2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Special Condition # 18: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On October 14, 2014, Mr. Tijerina was arrested at his approved residence by his assigned Department of Corrections (DOC) Community Corrections Officer (CCO), Renee Cooper, on an active Secretary's warrant. According to statements from CCO Cooper, Mr. Tijerina admitted to using methamphetamine the previous night and had a methamphetamine pipe in his pocket at the time of arrest.

On October 29, 2014, Mr. Tijerina was released from DOC custody, at which time he reported as required to the undersigned officer. Mr. Tijerina admitted to the undersigned officer that he had used methamphetamine prior to his arrest, with his last use occurring the night prior to his arrest. Mr. Tijerina also admitted to consuming methamphetamine several times over the past week, prior to his arrest on October 14, 2014. In addition, Mr. Tijerina confirmed that he did have a methamphetamine pipe on his person during his arrest.

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Re: Tijerina, Javier Rodriguez**November 4, 2014****Page 2**

2

Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: On October 29, 2014, during Mr. Tijerina's office contact with the undersigned officer, he reported that he intended to live at a residence belonging to one Catherine Curley, who Mr. Tijerina stated was a friend, and was currently serving time in Geiger Corrections Facility. Mr. Tijerina stated that the landlord was aware of the situation and that he was allowed to live at the address. Mr. Tijerina stated that he did not have a secondary plan if he was unable to live at Catherine Curley's residence. Based on the uncertainty of the plan, the undersigned officer directed Mr. Tijerina to call and check in daily, starting that evening and to report again in person on Monday, November 3, 2014.

On October 31, 2014, after not having been contacted by Mr. Tijerina as directed, a call was placed to Catherine Curley's cell phone number. An individual, who identified herself as Marissa, stated that Mr. Tijerina had come to the residence on October 29, 2014, after his release, but was informed that he could not stay at the residence. Marissa stated that Mr. Tijerina "said something about a friend in the valley" and had not been staying at Ms. Curley's address. She did not know Mr. Tijerina's whereabouts. Mr. Tijerina has not been making daily contact with the undersigned officer as required, and did not report on Monday November 3, 2014, as previously directed. Mr. Tijerina's whereabouts are currently unknown.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/04/2014

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

November 4, 2014

Date